

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
COMMODITY FUTURES TRADING COMMISSION,

Plaintiff,

-v-

CASPER MIKKELSEN, *also known as* Carsten Nielsen,
also known as Brian Thomson, *also known as* Thomas
Jensen, *also known as* Casper Muller,

Defendant.
-----X

20-CV-3833 (JPC)

ORDER

JOHN P. CRONAN, United States District Judge:

Plaintiff Commodity Futures Trading Commission filed the Complaint in this action on May 18, 2020. (Dkt. 1.) Defendant Casper Mikkelsen was served with the Complaint on July 1, 2020, making his answer due by July 22, 2020. (Dkt. 22.) To date, Defendant has not appeared in this action nor answered the Complaint. A Clerk's Certificate of Default was filed for Defendant on October 5, 2020. (Dkt. 30.)

It is hereby ORDERED that no later than January 21, 2021, Plaintiff shall move for default judgment, in accordance with Local Civil Rule 55.2 and 3.F of the Court's Individual Rules and Practices for Civil Cases. Pursuant to the Court's Individual Rules, Plaintiff must serve his motion for default judgment and supporting paperwork on Defendant and file an Affidavit of Service on ECF by February 4, 2021. In its motion for default judgment, Plaintiff should address the method of service of Defendant in Denmark, and how that method complies with proper service under the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents. *See* Fed. R. Civ. P. 4(f)(1). Defendant shall file any opposition to the motion for default judgment no later than February 18, 2021. Plaintiff shall file any reply no later than February 25, 2021.

It is further ORDERED that Defendant appear and show cause at a hearing before this Court on March 8, 2021, at 11:30 a.m., why an order should not be issued granting a default judgment against Defendant. That hearing shall take place telephonically. At the scheduled time, counsel for all parties should call (866) 434-5269, access code 9176261. In the event that Defendant appears in this case and opposes the motion for default judgment prior to the scheduled court appearance on March 8, 2021, that court appearance shall also serve as an Initial Case Management Conference pursuant to 5.B of the Court's Individual Rules and Practices in Civil Cases in the event the Court declines to issue a default judgment at the hearing.

It is further ORDERED that Plaintiff serve Defendant via overnight courier with a copy of this Order within one week of the date of this Order. Within two business days of service, Plaintiff must file proof of such service on the docket.

SO ORDERED.

Dated: December 21, 2020
New York, New York

A handwritten signature in black ink, appearing to read "John P. Cronan", is written over a horizontal line.

JOHN P. CRONAN
United States District Judge